

APRIL 9, 2024

The Bastrop City Council met in a regular meeting on Tuesday, April 9, 2024, at 6:30 p.m. at the Bastrop Convention Center, located at 1408 Chestnut St B, Bastrop, Texas. Members present were: Mayor Nelson and Mayor Pro Tem Kirkland and Council Members Lee, Meyer, Crouch, and Plunkett. Officers present were: City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

CALL TO ORDER

Mayor Nelson called the regular City Council meeting to order at 6:34 p.m. with a quorum present.

PLEDGE OF ALLEGIANCE

Ruby Brewster and Dariana Lopez Castillo, Bluebonnet Elementary School Safety Patrol led the pledges.

INVOCATION

Phil Woods, Police Chaplain, gave the invocation.

PRESENTATIONS

4A. Mayor's Report

4B. Proclamation of the City Council of the City of Bastrop, Texas recognizing April as Child Abuse Prevention Month.

Proclamation was read into record by Mayor Lyle Nelson.

WORK SESSIONS/BRIEFINGS - NONE

STAFF AND BOARD REPORTS - NONE

CITIZEN COMMENTS

SPEAKER(S)

**Judah Ross
213 Nicole Way
Bastrop, Texas 78602
512-998-1957**

**Pablo Serna
1104 Hill Street
Bastrop, TX**

**T.J. Finn
240 S Hasler Blvd.
Bastrop, Texas 78602
936-657-8012**

**Brett Douglas
906 Main St.
512-962-4527**

Patrice "Pete" Parsons
231 Baron Creek Trail
Bastrop, TX 78602
210-722-7270

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Hold a public hearing and consider action to approve the first reading of Ordinance No. 2024-11 of the City Council of the City of Bastrop, Texas, approving the zoning change for 31.4559 +/- acres out of the A11 Bastrop Town Tract, Bastrop County, Texas, more commonly known as Bastrop Gateway from P2 rural and P5 core to planned development district with P5 core base zoning, as shown in Attachment 2; providing for findings of fact; providing for repealer; providing for severability; providing for enforcement; providing for proper notice and meeting; and establishing an effective date; and move to include on the April 23, 2024, Consent Agenda for second reading. Submitted by: Kennedy Higgins, Senior Planner, Development Services Department **Presentation was made by Kennedy Higgins, Senior Planner, Development Services Department and Steven Biegel, Place Designers.**

SPEAKER

Dax Addian Havrilak
779 Peach Creek Rd.
214-364-0085

Richard Nacewski
120 Papaloo Lane
Bastrop, TX 78602
817-946-8621

John Eberle
20 Lost Pines Avenue
Bastrop, TX 78602
512-629-3273

Shannon Day
13 Lost Pines Ave.
Bastrop, TX

Debbie Moore
1306 Church Street
Bastrop, TX

Stewart Bridges
12 Lost Pines Ave
Bastrop

Ian Watts
13 Lost Pines Ave
Bastrop, Texas

Jennifer Phelps
16 Lost Pines Ave.
Bastrop, Texas

Robert Garrison
234 River Forest Dr.
Bastrop, TX

George Ann Shockley
Riverside Drive

A motion was made by Council Member Meyer to table the item and send it back to staff, seconded by Council Member Lee, motion was approved on a 5-0 vote.

Mayor Nelson recessed the Council Meeting at 8:42 p.m.

Mayor Nelson called the Council Meeting back to order at 8:55 p.m.

CONSENT AGENDA

A motion was made by Council Member Lee to approve Items 8B and 8C, as listed on the Consent Agenda after being read into the record by City Secretary Ann Franklin. Seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

8B. Consider Action to approve the second reading of Ordinance No. 2024-08 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 14, The Bastrop Building Block (B3) Code, Article 9.2 Categories Of Preservation establishing standards and procedures; as attached in Exhibit A; and providing for findings of fact, repealer, severability, codification, effective date, proper notice, and meeting.

Submitted by: Kennedy Higgins, Senior Planner, Development Services Department

8C. Consider action to approve the second reading of Ordinance No. 2024-10 authorizing the amendment of the City of Bastrop FY2024 budget with a reduction of \$25,000 in revenue received from the Bastrop Economic Development Corporation allocated to the Main Street program; providing for severability; repealing conflicting ordinances; providing an effective date; providing for proper meeting and notice.

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager, and Interim Director of the BEDC

DISCUSSION ITEM

8A. Consider action to approve City Council minutes from the March 26, 2024, Regular meeting.

Submitted by: Ann Franklin, City Secretary

A motion was made by Council Member Meyer, to amend the motion for item 12E in the March 26, 2024, minutes to list the maker of the motion as Council Member Plunkett and seconded by Council Member Crouch, seconded by Council Member Lee, motion was approved on a 5-0 vote.

ITEMS FOR INDIVIDUAL CONSIDERATION CONTINUED

- 9B. Consider action to approve Resolution No. R-2024-37 of the City Council of the City of Bastrop, Texas, approving and ratifying the execution of a Wholesale Wastewater Services Agreement and a Wastewater Facility Payment Contribution Agreement between the City and Corix Utilities Inc., as attached as Exhibits A and B respectively; providing for a repealing clause; and establishing an effective date.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager.

A motion was made by Council Member Meyer to approve Resolution No. R-2024-37, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

- 9C. Consider action to approve Resolution No. R-2024-31 approving the My Government Online Interlocal Agreement between the City of Bastrop and South Central Planning and Development Commission (SCPDC) attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
Submitted by: Doug Haggerty – Manager, Fleet & Facilities Department
Presentation was made by Doug Haggerty – Manager, Fleet & Facilities Department.

A motion was made by Council Member Meyer to approve Resolution No. R-2024-31, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

- 9D. Consider and act on a change of appointment from Mayor Lyle Nelson to Councilmember Kevin Plunkett due to quorum considerations on the newly created ad hoc executive committee to address considerations related to a regional sports facility located in the Bastrop Economic Development Corporation Industrial Park.
Submitted by: Mayor Lyle Nelson
A motion was made by Council Member Lee to appoint Council Member Kevin Plunkett in place of Mayor Lyle Nelson on the newly created ad hoc executive committee (The ad hoc committee is to be made up of Council Members Plunkett, Crouch, and Meyer with EDC representation from Ron Spencer, Connie Schroeder, and Frank Urbanek.), seconded by Council Member Crouch, motion was approved on a 5-0 vote.

- 9E. Consider action to approve Resolution No. R-2024-41 and act on a proposal from Terra Pave International, a University of Texas Technology Commercialized Company for \$55,780 as a sole source provider for a fog seal street sealant known as Terra Pave.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

A motion was made by Council Member Lee to approve Resolution No. R-2024-41, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 9F. Consider action to approve Resolution No. R-2024-42 and act on a request by Hannah Miller to waive platting fees in the amount of \$1855.58 in the Woodrun Subdivision. Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager.

A motion was made by Council Member Lee to approve Resolution No. R-2024-42, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

- 9G. Consider action to approve the first reading of Ordinance No. 2024-05 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2024; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing an effective date; and move to include on the April 23, 2024, consent agenda for second reading. Submitted by: Edi McIlwain, Chief Financial Officer
Presentation was made by Edi McIlwain, Chief Financial Officer.

A motion was made by Council Member Plunkett to approve the first reading of Ordinance No. 2024-05, and to include on the April 23, 2024, Consent agenda for second reading, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

- 9H. Consider and act on appointment to a Hotel Occupancy Tax Taskforce whose goal is to determine the highest and best use for hotel tax funds within the parameters set by the state of Texas. Submitted by: Mayor Lyle Nelson
Presentation was made by Mayor Lyle Nelson.

A motion was made by Mayor Pro Tem Kirkland to appoint Council Member Meyer, Council Member Plunkett, and Council Member Lee as the Council liaisons and Lee Harle, Irby Morvant, Olga Maystruk, and Debbie Denny as the community appointees to a Hotel Occupancy Tax Taskforce, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 9:40 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 10A. City Council shall convene into closed executive session pursuant to Texas Government Code section(s) 551.071 and 551.074 to seek the advice of legal counsel regarding the Visit Bastrop investigation and the ethics complaint filed January 18, 2024.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.074 to seek the advice of legal counsel regarding the conduct of Planning and Zoning Commissioner J. Ross.

Mayor Nelson recessed the Executive Session at 10:55 p.m.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION.

10A. City Council shall convene into closed executive session pursuant to Texas Government Code section(s) 551.071 and 551.074 to seek the advice of legal counsel regarding the Visit Bastrop investigation and the ethics complaint filed January 18, 2024.

A motion was made by Mayor Pro Tem Kirkland to remove privilege on the Sarah Glaser email reviewed in the Executive Session, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

10B. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.074 to seek the advice of legal counsel regarding the conduct of Planning and Zoning Commissioner J. Ross.

A motion was made by Council Member Plunkett to remove Judah Ross from the Planning & Zoning Commission due to operational concerns about group morale and the efficient functioning of Planning & Zoning, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

Adjourned at 11:05 p.m. without objection.

APPROVED:

ATTEST:

Mayor Lyle Nelson

City Secretary Ann Franklin

The Minutes were approved on April 23, 2024, by Council Member Name's motion, Council Member Name's second. The motion was approved on a 5-0 vote.